

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

LEAF RIVER ENERGY CENTER LLC

PLAINTIFF

VS.

CIVIL ACTION NO. 4:09cv71DPJ-JCS

4 ACRES \pm IN SECTION 12, TOWNSHIP 1
NORTH, RANGE 10 EAST, SECOND
JUDICIAL DISTRICT OWNED BY MRS.
WILLIE GRADY, ET AL.;
2 ACRES \pm IN SECTION 22 OWNED BY
EDDIE WATERS, JR., ET AL., 39 ACRES \pm
IN SECTION 23 OWNED BY SHIRLEY
WATERS, ET AL., ALL IN TOWNSHIP 1
NORTH, RANGE 12 EAST, FIRST JUDICIAL
DISTRICT; 4.77 ACRES \pm , 1.24 ACRES \pm , 5.03
ACRES \pm , AND 60 ACRES \pm , ALL IN
SECTION 19, TOWNSHIP 1 NORTH, RANGE
13 EAST AND OWNED BY DENBURY
ONSHORE, LLC, 78 ACRES \pm IN SECTION
27, TOWNSHIP 1 NORTH, RANGE 13 EAST,
OWNED BY TENNIA BONNER, ET AL., 58.39
ACRES \pm IN SECTION 25 TOWNSHIP 1
NORTH, RANGE 13 EAST OWNED BY
JOYCE GERMANY, ET AL., AND 163 ACRES
 \pm IN SECTIONS 21 AND 22, TOWNSHIP 1
NORTH, RANGE 13 EAST OWNED BY
ALFRED BRANDON, ET AL., ALL IN THE
FIRST JUDICIAL DISTRICT, JASPER
COUNTY, MISSISSIPPI

DEFENDANTS

ORDER OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41 and Fed. R. Civ. P. 71.1, the Court finds as follows:

1. The Complaint in this action describes ten separate tracts of land across which the Plaintiff, Leaf River Energy Center LLC (“Leaf River”), seeks condemnation of various interests.

2. Leaf River has filed Notices of Dismissal for seven of the original tracts and the related defendants.

3. For the remaining three tracts, Leaf River has filed Notices of Dismissal for several defendants, and for the remaining defendants claiming ownership interests in these tracts the Court has conducted bench trials, determined just compensation, and rendered Judgments for the condemned interests. Leaf River has properly paid the just compensation amounts and satisfied the Judgments for the remaining three tracts in this action.

4. All matters set forth in the Complaint have, therefore, been concluded, and this action should be dismissed.

IT IS THEREFORE, ORDERED that this action is dismissed, consistent with the previously filed Notices of Dismissal and Judgments as described above.

SO ORDERED AND ADJUDGED this the 27th day of April, 2010.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE

By: s/James L. Halford
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